

JOINT INVENTOR  
ORIGINAL**DECLARATION**

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CLONING OF NOVEL GENE SEQUENCES EXPRESSED AND REPRESSED DURING  
WINTER DORMANCY IN THE APICAL BUDS OF TEA (CAMELLIA SINENSIS L. (O.)  
KUNTZE BUSH**

as described in the specification [ ] attached or [X] of Patent Application Serial No.: 09/823,887 and filed on March 31, 2001.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
			YES NO
			YES NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	INVENTOR'S SIGNATURE	DATE
SANJAY KUMAR		31 July 2001
RESIDENCE		CITIZENSHIP
Palampur, Himachal Pradesh 176 061, India		INDIAN
POST OFFICE ADDRESS		
Institute of Himalayan Bioresource Technology, Palampur, Himachal Pradesh 176 061, India		
FULL NAME OF INVENTOR	INVENTOR'S SIGNATURE	DATE
LAKHVIR LAL		31 July 2001
RESIDENCE		CITIZENSHIP
Palampur, Himachal Pradesh 176 061, India		INDIAN
POST OFFICE ADDRESS		
Institute of Himalayan Bioresource Technology, Palampur, Himachal Pradesh 176 061, India		

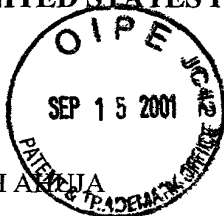
FULL NAME OF INVENTOR	INVENTOR'S SIGNATURE	DATE
PARAMVIR SINGH AHUJA	<i>Paramvir Singh Ahuja</i>	31 July 2001
RESIDENCE	CITIZENSHIP	
Palampur, Himachal Pradesh 176 061, India	INDIAN	
POST OFFICE ADDRESS		
Institute of Himalayan Bioresource Technology, Palampur, Himachal Pradesh 176 061, India		

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T05T60 2832860

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicants:

SANJAY KUMAR  
LAKHVIR LAL  
PARAMVIR SINGH AKA



Group Art Unit No.: 1645

Filed: March 31, 2001

Examiner: Unknown

Serial No.: 09/823,887

For: CLONING OF NOVEL GENE  
SEQUENCES EXPRESSED AND  
REPPRESSED DURING WINTER  
DORMANCY IN THE APICAL  
BUDS OF TEA (CAMELLIA  
SINENSIS L. (O.) KUNTZE BUSH

Attorney Docket No.: 053916.0001

## POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 1.32, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):

☒ Concurrently Herewith  
☐ Date Recorded \_\_\_\_\_  
☐ Reel \_\_\_\_\_ Frame \_\_\_\_\_

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

Lester L. Hewitt, Reg. No. 25,685  
David R. Clonts, Reg. No. 36,768  
John F. Luman, Reg. No. 43,763  
Gregory M. Hasley, Reg. No. 40,640

Douglas W. Rommelmann, Reg. No. 34,418  
George W. Jordan III, Reg. No. 41,880  
Dwayne L. Mason, Reg. No. 38,959

Please direct all communications to: AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P., 711 Louisiana, Suite 1900, Houston, Texas 77002, (713) 220-5800, FAX: (713) 236-0822, to the attention of: Dwayne L. Mason.

The undersigned authorizes the persons named above to accept and follow instructions from Kumaran & Sagar as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the persons named above and the undersigned. In the event of a change in the persons from whom instructions may be taken, the persons named above will be so notified in writing by the undersigned.

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

Date: 31 July 2001

By:

Printed Name: (Mr. R.K. Gupta)  
Title:

HEAD, IPMD, C.S.I.R.